

|   |           |
|---|-----------|
| FILED   | RECEIVED  |
| ENTERED                                       | SERVED ON |
| COUNSEL/PARTIES OF RECORD                     |           |
| SEP 22, 2022                                  |           |
| CLERK US DISTRICT COURT<br>DISTRICT OF NEVADA |           |
| BY:   | DEPUTY    |

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES ALLEN WYNHOFF,

Defendant.

2:22-CR-083-RFB-NJK

**Preliminary Order of Forfeiture**

This Court finds James Allen Wynhoff pled guilty to Counts One and Two of a Two-Count Criminal Information charging him in Count One with attempt sex trafficking of children in violation of 18 U.S.C. § 1591(a) and in Count Two with possession of child pornography in violation of 18 U.S.C. § 2252A(a)(5)(B). Criminal Information, ECF No. 27; Arraignment & Plea, ECF No. 30; Plea Agreement, ECF No. 29.

This Court finds James Allen Wynhoff agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information. Criminal Information, ECF No. 27; Arraignment & Plea, ECF No. 30; Plea Agreement, ECF No. 29.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information and the offenses to which James Allen Wynhoff pled guilty.

The following property is (1) any property, real or personal, that was involved in, used, or intended to be used to commit or to facilitate the commission 18 U.S.C. § 1591(a), and any property traceable to such property; (2) any property, real or personal, involved in,

used, or intended to be used to commit or to facilitate the commission of any violation of 18 U.S.C. § 1591(a), and any property traceable to such property; (3) any visual depiction described in 18 U.S.C. § 2252A(a)(5)(B), or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of 18 U.S.C. § 2252A(a)(5)(B); and (4) any property, real or personal, used or intended to be used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(5)(B) or any property traceable to such property and is subject to forfeiture pursuant to 18 U.S.C. § 1594(d)(1); 18 U.S.C. § 1594(e)(1)(A) with 28 U.S.C. § 2461(c); and 18 U.S.C. § 2253(a)(1) and 2253(a)(3):

1. one black Samsung cellular phone, model galaxy A12, bearing IMEI 357816336078892;
2. one gold LG cellular phone, model SP200, bearing MEID HEX 35198009335628 and serial number 801VTJH0348828;
3. one black consumer cellular phone, model Z2335CC, bearing IMEI 862674048086200 and serial number 320217160172; and
4. one black Lenovo laptop with device ID F0F121F9-9892-4A74-A7F9-FA0EC780EB77

(all of which constitutes property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of James Allen Wynhoff in the

1 aforementioned property are forfeited and are vested in the United States of America and  
2 shall be safely held by the United States of America until further order of the Court.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
4 of America shall publish for at least thirty (30) consecutive days on the official internet  
5 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
6 describe the forfeited property, state the times under the applicable statute when a petition  
7 contesting the forfeiture must be filed, and state the name and contact information for the  
8 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
10 or entity who claims an interest in the forfeited property must file a petition for a hearing to  
11 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C. §  
12 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under 21  
13 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the  
14 petitioner's right, title, or interest in the property, the time and circumstances of the  
15 petitioner's acquisition of the right, title or interest in the property, any additional facts  
16 supporting the petitioner's claim, and the relief sought.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
18 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,  
19 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was  
20 not sent, no later than sixty (60) days after the first day of the publication on the official  
21 internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), whichever is earlier.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
23 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
24 Attorney's Office at the following address at the time of filing:

25 Daniel D. Hollingsworth  
26 Assistant United States Attorney  
27 501 Las Vegas Boulevard South, Suite 1100  
28 Las Vegas, Nevada 89101.

///

///

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
2 described herein need not be published in the event a Declaration of Forfeiture is issued by  
3 the appropriate agency following publication of notice of seizure and intent to  
4 administratively forfeit the above-described property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
6 copies of this Order to all counsel of record.

7 DATED September 22, 2022.

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



---

RICHARD F. BOULWARE  
UNITED STATES DISTRICT JUDGE